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TRANSMITTAL OF APPEAL BRIEF (Large Entity)

Docket No.
ITL.0448US

In Re Application Of: **Jim B. Estipona**

Serial No.	Filing Date	Examiner	Group Art Unit
09/652,695	**August 31, 2000**	**Brian I. Cornwell**	**2614**

Invention: **Announcing the Availability of an Electronic Programming Guide to Receivers of Enhanced Television Transmissions**

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Signature

Dated: **May 14, 2004**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:	Jim B. Estipona	Art Unit:	2614
Serial No.:	09/652,695	Examiner:	Brian I. Cornwell
Filed:	August 31, 2000		
For:	Announcing the Availability of an Electronic Programming Guide to Receivers of Enhanced Television Transmissions	Atty Docket:	ITL.0448US P9559

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APPEAL BRIEF

Sir:

Applicant respectfully appeals from the final rejection mailed January 15, 2004.

I. REAL PARTY IN INTEREST

The real party in interest is the assignee Intel Corporation.

II. RELATED APPEALS AND INTERFERENCES

None.

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III. STATUS OF THE CLAIMS

Claims 1-25 are rejected. Each rejection is appealed.

IV. STATUS OF AMENDMENTS

All amendments have been entered.

V. SUMMARY OF THE INVENTION

Referring to Figure 1, an enhanced television content distribution system 10 may include a broadcast head end 12 that distributes the enhanced television content. The head end 12 distributes the content over a transport 14. The transport 14 may include a cable, airwave, or satellite distribution system, as examples.

In some embodiments, the broadcast head end 12 may distribute the content directly to receivers which do not thereafter rebroadcast the content but rather, make the content available for viewing on the receiver itself. In other cases, the content may be rebroadcast by a rebroadcaster or network operating center (NOC). Thus, as illustrated in Figure 1, an NOC 16 may be coupled to the head end 12 by a transport 14. Similarly, the NOC 16 may be coupled to a plurality of receivers 20 by a transport 18. The transports 14 and 18 may utilize different technologies. See specification at page 3, line 15 through page 4, line 6.

Each receiver 20 may include a storage device 22 that stores software including an announcement handler 26 and an EPG listener 100. The announcement handler 26 listens for announcements in the distributed content and provides an indication for that announcement to the receiver 20. For example, information about available enhancements may be displayed on a monitor or television associated with the receiver 20. In addition, the storage 22 may include a

cache 24. The cache 24 may be utilized to cache enhancements, such as an EPG, that are identified by the announcement handler 26, in some embodiments of the present invention.

The announcement handler software 26, shown in Figure 1, begins by listening to well known Internet Protocol (IP) address and port for announcements. That is, the receiver 20 is aware of established ports and addresses for announcements. The distribution of enhanced television content is well established and may be implemented in accordance with known protocols.

One such protocol is the Advanced Television Enhancement Form (ATVEF) Specification, Draft Version 1.1 r.26, updated February 2, 1999. That specification includes standards for announcements and provides a specific announcement protocol. For example, announcements may be implemented in accordance with the session description protocol (SDP) promulgated by the Network Working Group and published as Request for Comments (RFC) 2327 dated April 1998. The IP multicast addresses and ports for resource transfers are announced using SDP announcements. Announcements may be sent on a well known address (224.0.1.113) and port (2670) pursuant to the ATVEF specification. See specification at page 4, line 7 through page 5, line 13.

The ATVEF announcement protocol sets forth a well established SDP header format. That format includes a session description including a protocol version, an owner/creator and session identifier, a session name, and additional information set forth for example in the ATVEF specification. The owner/creator and session identifier field specifies a user name, session identifier (sid) and version followed by an IP address, as set forth in the ATVEF specification. The session identifier is a Network Time Protocol (NTP) value as identified in the NTP Version 3 Specification, published by D. Mills as RFC 1305 on March 1992. The UNIX

time is basically an offset value to the NTP value. The next field in the announcement protocol is the session name which is a required field. It is specified by the variable s equals the appropriate name.

In accordance with one embodiment of the present invention, the session identifier or sid is specified to be equal to the UNIX zero time value (which necessarily otherwise would never be utilized). The UNIX zero time value is equivalent to the NTP value 2208988800. Thus, the announcement protocol may specify a sid equal to 2208988800. The session name may be specified as "program guide" or s equals program guide. In this way, a well established session identifier and session name may be utilized by all broadcasting entities. This protocol enables an electronic programming guide to be readily identified in any format or system. In addition, by providing the session name "program guide" in the announcement protocol, a user viewable list or display box may be displayed to advise the user of the availability of a program guide. See specification at page 5, line 14 through page 6, line 18.

Thus, an example of a hypothetical announcement protocol, compliant with the ATVEF specification, in accordance with one embodiment of the present invention, is as follows:

v = 0

o = -2208988800 2890844526 IN IP4 tve.niceBroadcaster.com

s = program guide

e = help@niceBroadcaster.com

a = UUID:f8ld4fae-7dec-11do-a765-00a0c91e6bf6

a = type:tve

a = tve-level:1.0

t = 2873397496 O

a = tve-ends:30000

a = tve-type:primary

m = data 52127/2 tve-file/tve-trigger

c = IN IP4 224.0.1.112/127

b = CT:100

a = tve-size:1024

m = data 52127/2 tve-file/tve-trigger

c = IN IP4 224.0.0.1/127

b = CT:1024

a = tve-size:4096

Thus, the second line, second variable specifies a program guide by the use of a unique number corresponding to the UNIX zero value. The third line specifies a session name "program guide" which may be extracted and displayed in a human readable format.

Returning to Figure 2, an announcement may be detected as indicated at 104 by the announcement handler 26. When an announcement is detected, the header's SDP fields are parsed as indicated in block 106. If the announcement is valid, as determined at diamond 108, a check at diamond 110 determines whether a program guide is announced. The determination of whether an electronic programming guide is being announced is based on the number in the session identifier (sid) field. See specification at page 6, line 19 through page 8, line 4.

If an electronic programming guide has been announced, a check at diamond 112 determines whether the electronic programming guide is already cached in the cache 24. If so, or if the announcement does not relate to an electronic programming guide, the announcement is processed normally as indicated in block 114. In the case where the electronic programming

guide is not already stored in the cache 24, a resource handler/listener may be created as indicated in block 116. A trigger Internet Protocol address and port number contained in the SDP header may be identified at diamond 118. If so, a trigger handler listener may be developed (block 120). Otherwise, the software simply iterates, having received the appropriate announcements.

Embodiments of the present invention do not require a back channel or uplink to acquire the electronic programming guide. Avoiding the need for an uplink to acquire the electronic programming guide may make the receiver more robust to network or modem failures, geographical difficulties/differences and may also lower the initial cost of ownership of the receiver while reducing the uplink channel subscription cost as well. In addition, a fully ATVEF-compliant announcement needs no special session attribute in the SDP header to ensure that the announcement will be recognized by ATVEF-compliant receivers. Moreover, no optional field is needed in the ATVEF SDP header for the EPG announcement. In addition, a special channel for the electronic programming guide is not needed but instead may be accessed as any type of enhancement may be accessed in an enhanced television broadcast.

As shown in Figure 1, the head end 12 may also include a storage 122. The head end may include a processor-based system which is capable of executing software such as the software 124 stored on the storage 122. See specification at page 8, line 5 through page 9, line 13.

Referring to Figure 3, the software 124 facilitates the distribution of enhanced television content that identifies an electronic programming guide for the enhanced content. Initially, an announcement is developed with the special session identifier and session name described previously and as indicated in block 126. The electronic programming guide related content is

then obtained as indicated in block 128. The electronic programming guide related content and the announcement may be broadcast at the same or different times as indicated in block 130. See specification at page 9, lines 14 through 23.

VI. ISSUES

A. Is Claim 1 Obvious Over a Single Reference, the ATVEF Specification?

VII. GROUPING OF THE CLAIMS

All of the claims may be grouped with claim 1.

VIII. ARGUMENT

A. Is Claim 1 Obvious Over a Single Reference, the ATVEF Specification?

Claim 1 was rejected as being obvious over the ATVEF specification taken by itself.

As mentioned in the background of the present application on page 2, conventionally the distribution of an electronic programming guide is indicated in different ways and different television distribution systems. Examples are given from the Broadcast Plus and Web TV systems. It is noted that there is no uniform way to announce the availability of an electronic programming guide that is recognized by all the available systems/software providers. The present application provides such a technique. As set forth in claim 1, an announcement is transmitted with the enhanced television content. The announcement includes a session identifier having a value announcing the availability of an electronic programming guide for the enhanced television content.

The rejection asserts the ATVEF specification teaches the claimed invention. But, of course, the ATVEF specification teaches nothing about using a session identifier to announce an electronic programming guide. See e.g., the specification at page 5, line 14 to page 6, line 18. The Examiner suggests, because it is well known to transmit electronic programming guides, it would be obvious to use a session identifier to identify an electronic programming guide.

However, to make out a *prima facie* rejection there must be some suggestion within the references to do what is claimed. There is no suggestion to use a session identifier to identify an electronic programming guide transmitted with other content. This has never been considered before and was never proposed. Existing systems like Broadcast Plus and Web TV do not use such a system. The claimed system provides a way that all electronic programming guides could be announced which would facilitate the design of systems to handle electronic programming guides at the receiver. Since nothing suggests the desirability of the modification, the use of hindsight alone is insufficient to make out a *prima facie* rejection.

Therefore, the rejection should be reversed.

IX. CONCLUSION

Applicant respectfully requests that each of the final rejections be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,

Date: May 14, 2004

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APPENDIX OF CLAIMS

The claims on appeal are:

1. A method comprising:

transmitting enhanced television content; and

transmitting an announcement for said enhanced television content, said announcement including a session identifier having a value announcing the availability of an electronic programming guide for said enhanced television content.

2. The method of claim 1 wherein transmitting an announcement includes transmitting the announcement in a session description protocol.

3. The method of claim 2 wherein transmitting an announcement includes transmitting a unique session identifier which identifies an electronic programming guide.

4. The method of claim 3 including transmitting a session identifier which is a unique number.

5. The method of claim 4 wherein transmitting a session identifier includes transmitting the number 2208988800.

6. The method of claim 1 including transmitting a session name.

7. The method of claim 6 wherein transmitting a session name includes transmitting a human readable session name indicative of an electronic programming guide.

8. An article comprising a medium storing instructions that enable a processor-based system to:

transmit enhanced television content; and

transmit an announcement for said enhanced television content, said announcement including a session identifier having a value announcing the availability of an electronic programming guide for said enhanced television content.

9. The article of claim 8 further storing instructions that enable the processor-based system to transmit the announcement in a session description protocol.

10. The article of claim 9 further storing instructions that enable the processor-based system to transmit a unique session identifier that identifies an electronic programming guide.

11. The article of claim 10 further storing instructions that enable the processor-based system to transmit a session identifier that is a unique number.

12. The article of claim 11 further storing instructions that enable the processor-based system to transmit the number 2208988800.

13. The article of claim 8 further storing instructions that enable the processor-based system to transmit a human readable session name indicative of an electronic programming guide.

14. A system comprising:

a processor-based transmitter; and

a storage, coupled to said processor-based transmitter, said storage storing instructions that enable enhanced television content and an announcement for said enhanced television content to be transmitted, said announcement including a session identifier having a value announcing the availability of an electronic programming guide for said enhanced content.

15. The system of claim 14 wherein said storage further stores instructions that enable the device to transmit a session identifier that is a unique number.

16. The system of claim 15 wherein said storage stores instructions that enable the device to transmit the number 2208988800.

17. A method comprising:

enabling a receiver to receive enhanced television content; and

enabling the extraction from said content of an announcement for said enhanced television content, said announcement including a session identifier having a value announcing the availability of an electronic programming guide.

18. The method of claim 17 including determining whether the enhanced television content includes an electronic programming guide.

19. The method of claim 18 including determining whether an electronic programming guide has already been cached.

20. The method of claim 19 including processing the announcement without regard for the electronic programming guide if the programming guide is already cached.

21. An article comprising a medium storing instructions that enable a processor-based system to:

enable a receiver to receive enhanced television content; and

enable the extraction from said content of an announcement for said enhanced television content, said announcement including a session identifier having a value announcing the availability of an electronic programming guide.

22. The article of claim 21 further including instructions that enable the processor-based system to determine whether the enhanced television content includes a programming guide.

23. The article of claim 22 further storing instructions that enable the processor-based system to determine whether the electronic programming guide has already been cached and if so, process the announcement without regard to the electronic programming guide.

24. A system comprising:

a processor-based receiver; and

a storage coupled to said processor-based receiver, said storage storing instructions that enable the extraction, from enhanced television content received by said receiver, of an announcement for said enhanced television content, said announcement including a session identifier having a unique value announcing the availability of an electronic programming guide.

25. The system of claim 24 wherein said storage stores instructions that enable the extraction of a value corresponding to the number 2208988800.